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NCSL acknowledges that a national debate on election reform continues and that any Congressionally mandated changes in election processes necessarily will impact state and local elections. State law controls the processes and the administration of matters pertaining to federal, state, and local elections. It logically follows that NCSL, as the national voice of the various state legislatures, should be at the center of this national debate. NCSL reaffirms its commitment to the Voting Rights Act of 1965 and all other civil rights legislation that ensures a person’s right to vote.

Given the states’ responsibility to conduct fair and accurate elections, NCSL maintains that it must be an equal partner with Congress or any federal agency or commission charged with regulating or establishing elections guidelines because even minor changes to federal election laws and policy will impact states in varying degrees. NCSL supports working in partnership with federal officials to ensure that federal election reform efforts do not unnecessarily preempt existing state policy. In this respect, NCSL believes that federal legislation and guidance documents that affect the states should be drafted with substantial input from those who would be responsible for their implementation. Federal legislation or guidance impacting state election policies or procedures should not curtail state innovation and NCSL believes that federal legislation should include reasonable timeframes for implementing state and local programs.

In light of nation state actors’ efforts to probe state elections systems, NCSL urges congress and the administration to partner with states on cybersecurity to ensure elections remain fair, accurate, and free from foreign interference.
NCSL acknowledges that public confidence in the election process is of utmost importance to state legislators. Therefore, NCSL opposes any federally mandated elections standards that are either not accompanied by sufficient federal funding or are preemptive of sound, constitutional state policies and procedures. NCSL believes that such funding should be based on broad principles, and supports a federal grant formula which awards money to states for broad-based purposes dealing with elections including cybersecurity reform, and opposes any funding mechanism, which seeks to mandate specific requirements on the states.

In the specific area of cybersecurity, federal support of state actions is now required. In 2002 when HAVA was enacted, cybersecurity was a virtually unknown concern. Now it is paramount, and states do not have the resources or capacity to protect against cyber interference in election systems without federal assistance. Federal assistance must include accurate and timely communications to states about threats and known cyber events as well as sufficient federal funding. Therefore, NCSL supports additional federal formula grant funding to states for the following broad purposes:

- Improving the accuracy and security of election procedures and vote counts;
- Improving election technology, systems and ballot design;
- Facilitating states’ processes for voter registration, verification and maintenance of voter rolls;
- Improving the accuracy and security of election procedures and vote counts;
- Educating citizens on representative democracy and election processes and systems;
- Providing greater access to states’ voter registration programs and polling places especially for rural and disabled voters; and
- Providing training and education opportunities for elections personnel.

NCSL recognizes the functions of the Election Assistance Commission (EAC) are important to the development of election equipment standards, dissemination of election-related statistics and information, and states benefit from the EAC’s skilled expertise in these areas. NCSL supports the structure and purpose of the EAC.
Continuity of Congress

NCSL acknowledges the possibility that a catastrophic national emergency may render the U.S. House of Representatives unable to conduct the business of the country due to the death or permanent incapacitation of more than 100 of its members. Periodically, Congress introduces legislation that proposes a national uniform special elections process containing federal mandates for the timing of such elections without taking into account state laws and procedures for conducting special elections. Special elections have traditionally been a state responsibility that does not warrant federal intervention and all states have a special elections process in place that is procedurally best for that state. Therefore, NCSL supports federal legislation that allows for state flexibility with respect to the timing of and other rules governing special elections and opposes federal legislation that would preempt state laws governing special elections outright.
The U. S. Constitution requires that a federal decennial census be conducted every ten years. This responsibility is delegated to the U.S. Census Bureau.

Since the first census was conducted in 1790, states have relied on federal census data. Currently, these data are used to redraw congressional and state legislative district boundaries and also to help federal, state, and local governments develop informed, cost-effective policies that promote economic growth, the well-being of individuals and families, and public safety in all communities.

The Census Bureau must be able to fulfill the constitutional mandate that is critically needed by the states and valued by all Americans. Adequate funding for the decennial census is necessary for an accurate count of the nation’s population and is critical for the Census Bureau to maintain the level of preparedness and planning necessary to conduct each decennial census. NCSL has long partnered with the U.S. Census Bureau to provide state legislators and staff with timely information on census activity and to provide feedback on their services and research.

NCSL supports a full and complete census count and will work with the U.S. Census Bureau to conduct its decennial census, related research programs and outreach efforts. To help ensure a full and complete census count, the U.S. Census Bureau should assure all respondents that all personal information they provide to the Bureau will remain safe and not be disclosed contrary to law.
The National Conference of State Legislatures (NCSL) condemns the trafficking of persons. Combating human trafficking requires a strong partnership between the federal government and the states. Regardless of the form trafficking takes, it is the exploitation of innocent survivors, both domestic and foreign born, who require protection and separation from their traffickers.

NCSL encourages improved interdisciplinary coordination among federal agencies responsible for or involved in the crime of trafficking in persons. Any federal/state partnership should include proper training for law enforcement and other criminal justice personnel who will be in contact with the survivors and perpetrators of human trafficking. The federal government must enforce laws that address foreign-born adults and minors brought into the United States via trafficking, smuggling or under false pretenses. This includes providing for effective prosecution and sentencing of traffickers and as well as assistance to survivors of trafficking as outlined in the TVPA, who are in fact, victims of crime, including but not limited to survivors who require protection and separation from their traffickers, those who have had documents destroyed or withheld, and specialized assistance for the many survivors who are minors.
Services may also be necessary to help assist survivors with reintegration into society. Survivors of trafficking are often misidentified and treated as criminals rather than victims, especially commercially sexually exploited children, and do not receive adequate services. The federal government should provide resources and capacity to assist states in providing assistance to survivors of both sex and labor trafficking, including access to assistance in post-conviction relief for crimes that were committed as a result of their trafficking.

NCSL also encourages improved federal outreach, consultation, coordination and assistance to states and territories, including state lawmakers, with regard to strengthening trafficking enforcement and assistance to trafficking survivors, including minors. Such consultation and coordination should be conducted with an eye toward establishing and strengthening state/federal partnerships and not preempting existing state laws and policies or creating unfunded federal mandates. NCSL encourages specialized demonstration and discretionary grant programs that assist states in focusing on the growing intergovernmental concern of human trafficking on U.S. soil.

The United States is seeing an increase in trafficked persons who are foreign born and smuggled or brought in under false pretenses. The federal government needs to assist survivors whose traffickers have destroyed or withheld their documents as a means of coercion. NCSL supports the use of T and U visas to reduce barriers in the prosecution of traffickers. State legislators commend the Office of Refugee Resettlement (ORR) at HHS for work with states to assist survivors, particularly minors. NCSL encourages
ORR to provide additional technical assistance to the states and include state legislators in their outreach and consultation efforts. ORR should take the lead in sharing its expertise in assisting trafficking survivors with DOJ, HHS and the states.

NCSL supports bipartisan Congressional efforts to establish voluntary grant programs and demonstration projects to assist survivors of trafficking. NCSL urges Congress to fully fund the pilot projects authorized under HHS to provide safe and therapeutic shelters for minor survivors.

NCSL supports the enhancement of The National Criminal Information Center (NCIC) relative to children who are missing and exploited including children at high risk for sex trafficking. Federal funding will be necessary to ensure that states do not face an undue administrative burden. However, NCSL cannot support any federal legislation that would contain an unfunded federal mandate.

NCSL urges the Congressional Human Trafficking Caucus to discuss the intergovernmental issues surrounding human trafficking with state legislators. NCSL supports the creation of a multi-governmental Blue Ribbon Commission on combating human trafficking on U.S. soil.
WHEREAS, this nation is founded on the belief that all people are endowed with certain inalienable rights and that to secure these rights, governments are instituted, deriving their just powers from the consent of the governed; and

WHEREAS, the United States is the formal union of states formed by their people and to have the full rights of self-government, one must be a citizen of a state; and

WHEREAS, no other nation in the entire world denies the right of self-government, including participation in its national legislature, to the residents of its capital and several international human rights organizations have found that the District's lack of voting representation in Congress violates international law; and

WHEREAS, the Constitution only sets a maximum size for the "Seat of the Government of the United States," otherwise known as the District of Columbia, and Congress, with the consent of the Commonwealth of Virginia and local residents, reduced the size of the District of Columbia in 1846, when it returned one-third of the District to Virginia; and

WHEREAS, Congress in the 1973 District of Columbia Self-Government and Government Re-organization Act, (the "Home Rule Act") has already carved out the federal core of the District, including the White House, Capitol, Supreme Court, Mall and monuments, as the National Capital Service Area and such area can constitutionally be the "Seat of the Government of the United States"; and
WHEREAS, in 2016, 86 percent of the citizens of Washington, DC voted overwhelmingly in favor for statehood; and

WHEREAS, in 2016, 86 percent of the citizens of Washington, DC voted overwhelmingly in favor for statehood; and

WHEREAS, the District of Columbia is home to over 702,000 residents, which is more than the states of Wyoming and Vermont; and

WHEREAS, residents of Washington, DC are required to and do perform all the obligations of United States citizenship including serving in the military, serving on federal juries, and paying federal taxes; and

WHEREAS, the residents of Washington, DC have no voice over what wars are declared, how their federal tax contributions are spent, how their taxes are to be collected, and how any of the vital national issues affecting residents on a daily basis are to be resolved; and

WHEREAS, 29,000 residents of Washington, DC are veterans who do not have any voting members of Congress to represent them; and

WHEREAS, District residents pay the highest federal income tax per capita when compared to residents of any of the 50 states, amounting to $38,000 per person in 2015; and

WHEREAS, the District has passed 23 consecutive balanced budgets, achieved a “triple A” bond rating in 2018 and maintains enviable cash reserves. Washington, DC’s budget is funded by mostly local taxes and fees; and

WHEREAS, Congress has total control over Washington, DC’s policies, including the
ability to overturn laws enacted by the District's duly-elected Council and passed by referendum with the support of a majority of residents and has the ability to make changes to the spending of locally-raised dollars by inserting riders on DC’s budget; and

WHEREAS, the United States Congress’ current legislation, “Washington, DC Admission Act” H.R. 51 / S. 631 has a record 215 and 33 cosponsors respectively;

and

WHEREAS, as early as 1979, and again in 2016, the United States Conference of Mayors called for full voting rights for the citizens of the District of Columbia,

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures (NCSL) respectfully urges the Congress of the United States to use its powers under Article IV, Section 3 of the United States Constitution and admit the residential and commercial areas of the District of Columbia, minus the National Capital Service Area which shall henceforth be the Seat of the Government of the United States, as the 51st State of the Union.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the President of the United States of America, the Speaker of the U.S. House of Representatives, and each member of the United States Congress.
WHEREAS, Hurricanes Harvey, Irma, and Maria, along with devastating Western wildfires and other natural catastrophes, totaling over $300 billion in damage made 2017 the costliest year on record for disasters in the United States, according to the National Oceanic and Atmospheric Administration; and

WHEREAS, Hurricane Michael on the east coast, the Camp Fire in California, and other major disasters made 2018 a deadly and expensive year from coast to coast; and

WHEREAS, Congress in 2019 took over six months to appropriate long overdue disaster aid. The delay featured a government shutdown, focus on tangential policy priorities, and a general absence of productive compromise; and

WHEREAS, even when Congress appropriates needed assistance in a relatively timely manner, the funds are further delayed due to inefficient disbursement to states and territories. In 2019, the Department of Housing and Urban Development took more than a year to provide guidance to disaster-stricken states and territories like Texas, Florida, California, and Puerto Rico which delayed the grant application process. Negotiations on aid for the next disaster season began and concluded before these funds were disbursed; and

WHEREAS, Disasters affect states and territories in every corner of the nation, from wildfires in California, Montana, Utah, and others to hurricanes in Florida, Texas, the Midwest and more; and
WHEREAS, Disasters affect every corner of affected communities – from homes, schools, roads, farms, prisons, electrical grids and hospitals suffering structural damage, to the affected populations displaced across the country and the states that receive them, and more; and

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures (NCSL) implores Congress to remain united in prioritizing the efficient appropriation of needed aid to disaster-stricken states and territories; and

BE IT FURTHER RESOLVED, that NCSL urges the administration to make every effort to streamline their procedures to deliver appropriated funds to governments and individuals struggling to recover from devastating disasters.
WHEREAS, 48 states experienced natural catastrophes including storms, blizzards, hurricanes, tornados, flooding, tidal waves, earthquakes, volcanic eruptions, fires, landslides, mudslides and other acts of God in 2011 for which a state’s Governor or the President of the United States issues a Declaration of Disaster or Emergency.

WHEREAS states and its citizens experience damage and destruction to infrastructure, including buildings, roads, communications networks, utility lines and other property, as a result of such Disasters or Emergencies.

WHEREAS, such Disasters or Emergencies result in interruption of crucial civic and business services to a state’s citizens and the demand for resources to repair and replace the damaged property and infrastructure can exceed local capacity.

WHEREAS, such Disasters and Emergencies may involve the need for companies to bring in resources on a temporary basis from out-of-state including materials, equipment, temporary shelters, and personnel to assist in the repair and restoration of the damaged infrastructure and property.

WHEREAS, existing state regulation and policies can cause delays in a business’s ability to quickly bring resources into the state to aid in the recovery efforts. WHEREAS out of state companies and personnel that have entered the state on a temporary basis solely to provide crucial resources and assistance to the state or its instate registered businesses should not be hampered in their efforts by registrations and taxes that are intended for companies and individuals in the state in the normal
course of business, nor should they be deterred from entering the state on account of such taxes and registrations.

WHEREAS, state action that will facilitate the ability of companies, nonprofits, and their personnel to provide rapid response to state Declared Disasters or Emergencies throughout the United States will aid the state and its citizens in restoring and repairing crucial infrastructure.

THEREFORE, LET IT BE RESOLVED that the National Conference of State Legislatures supports efforts by states to pass legislation with appropriate safeguards that facilitates rapid and unburdened response in the interest of restoring a state’s property and infrastructure damage in the event of a Declared Disaster or Emergency.
Homeland Security

The National Conference of State Legislatures maintains that response to natural disasters and terrorist attacks begins at the local level where the event occurs, and involves state and federal response as local, then state, resources are overwhelmed by the magnitude of the event. NCSL urges Congress and the Administration to partner with NCSL and other organizations representing state and local government to prepare our nation for national disasters and threats to homeland security. NCSL urges Congress and the administration to:

- Continue to channel funding directly to the states to ensure compliance with statewide strategies for maximum coordination and require that such funds be subject to the state legislative oversight or the state appropriation process;
- Recognize the roles of state legislatures in the development of future guidance frameworks and Congressional legislation;
- Provide state flexibility among grant program categories for spending-planning, training, equipment, and exercises allowing transfer of funds across categories;
- Continue to provide a minimum grant in states that appear to have low risk, vulnerability, and criticality factors, in order to sustain the basic response infrastructure for public safety and public health emergencies;
- Consult with NCSL and state legislatures regarding each state's cost for the development and implementation of performance standards and other accountability measurements related to grant programs;
- Ensure that funding for any new grant programs complements, and DOES NOT replace, existing funding sources for other key programs such as first responder programs;
• Permit citizen rescue and aid efforts to assist in disaster recovery pursuant to state Good Samaritan laws without fear of federal penalties; and
• Where practicable, allow states to purchase surplus emergency management equipment from the federal government following response and recovery efforts.

Congress must also recognize the strain on personnel, equipment, and other resources that activation of the National Guard for federal services poses for state and local ability to secure the homeland from terrorism and natural disasters; and must work with state legislatures to develop programs to ensure adequate resources to maintain domestic security. NCSL strongly opposes any effort to preempt domestic control of the National Guard from state authority.

NCSL urges the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) to develop a centralized grant application process for homeland security and emergency preparedness activities; utilize an all-hazards approach including terrorism, natural and man-made disasters, and public health emergencies; and avoid adding new compliance requirements to existing grant programs. NCSL insists that FEMA streamline grants administration processes at FEMA as well as work together with other federal agencies that oversee disaster assistance – such as the Department of Housing and Urban Development (HUD) and the Small Business Administration (SBA) – to streamline and improve the efficiency of disaster assistance administration as a whole. Where possible, grants should be administered at the state level.

NCSL supports the funding of the Emergency Management Planning Grants (EMPG) at a level that meets current needs, and supports funding for the Emergency Management Assistance Compact (EMAC).

The Department of Homeland Security (DHS) DHS should work closely with NCSL, individual state legislatures, state emergency management and public safety leaders to meet the goal of fully funded and fully operating Fusion Centers that blend relevant law
enforcement and intelligence information analysis and coordinate security measures to reduce threats in their communities and to continue to improve the quality and quantity of analytical intelligence products that are provided to state and local governments.

**Cybersecurity**

NCSL recognizes that the nation’s information infrastructure is rapidly becoming one of the most serious threats our country has ever encountered. In order to combat this increasing threat, it is essential that all levels of government work together to develop proper solutions. NCSL urges Congress and the Administration to:

- View state and local governments as critical stakeholders;
- Avoid unfunded federal mandates and preemptions on state and local partners;
- Collaborate with state and local governments to invest in cybersecurity awareness; and
- Maintain the civil liberties and privacy of all citizens while sustaining the safety and stability of the internet and electronic communications.

**Border Security and Enforcement**

Securing all of America’s borders, ports, and airports is essential to preserving our national security and maintaining the safety of all Americans. NCSL urges the federal government to fulfill its responsibilities with regard to border security and encourages a renewed state-federal cooperation in countering human trafficking, weapons and drug smuggling. NCSL calls on the federal government to increase its enforcement of these crimes and encourages countries of origin to provide reentry facilities, transition services and transportation for returned inmates.

NCSL supports full, federal funding for increases in Department of Homeland Security border enforcement personnel where they are most needed and necessary improvements in facilities, technology and infrastructure.
Emergency Management and Presidential Disaster Declarations

NCSL believes effective emergency management involves both preparing for and responding to disasters. According to a 2018 National Institute of Building Sciences (NIBS) study, every $1 invested in disaster mitigation by the federal government saves communities $6. Recognition that states need to allocate state funding and receive federal funding before a disaster strikes is a necessity in order to sufficiently prepare for disasters and ultimately save communities money. NCSL urges FEMA and Congress to make federal disaster assistance available for a range of pre-disaster mitigation activities – from flooding to wildfires and beyond - that will promote advance planning for disasters and save both states and the federal government money in the long run.

Specifically, NCSL urges:

- Congress to pass legislation that will increase assistance for wildfire mitigation, given the significant and increasing threat wildfires pose to air quality, water quality, and the safety of residents in affected states.
- FEMA to co-locate federal with state emergency management staff to 1) better administer disaster preparedness training on the state and local level and 2) learn from state and local staff the disaster risk profile specific to the area rather than assuming a one-size-fits-all approach.
- The Federal government to provide state emergency management personnel proper access to federal lands for the purpose of mitigation activities, including but not limited to forest maintenance and fuel load reduction.

In considering procedures for when disasters do occur, FEMA should not make changes to existing systems in the absence of state consultation. Upon the issuance of a Presidential Disaster Declaration (PDD), FEMA calculates federal aid to states based on a per capita equation tied to state or local population pursuant to 44 C.F.R. Section 206.4. FEMA uses this per capita figure as one of several contributing factors when deciding whether to grant public assistance to a state. NCSL urges FEMA to exercise caution when determining whether to alter this existing formula. While NCSL appreciates FEMA’s goals of reducing disaster costs overall and incentivizing pre-
disaster planning and mitigation, any changes in the current statutory scheme must be constitutional, and must not contain burdensome cost shifts to states, or unwarranted preemption of state law. NCSL urges FEMA to engage in extensive consultation with state legislators in order to alleviate any intergovernmental issues that could aggravate the federal-state-local relationship. NCSL would oppose changes to the existing disaster declaration framework that would slow down the distribution of federal funds that contribute to state recovery from natural disasters.

NCSL calls upon the Administration to:

• Consult with states and requests transparency in its review and reform standards, policies, and procedures.

• When determining aid per capita for states, recognize and respect individual designations of localities within states. Likewise, when FEMA considers whether to recommend a disaster declaration for any given state, NCSL urges consideration of inordinately extensive impact to localities.

• Avoid federal action, such as stringent licensing requirements, that would discourage Good Samaritan aid or inhibit liability protections for voluntary civilian aid at the state level.

• Exercise the greatest level of flexibility possible in granting FEMA public assistance disaster relief funds that respect the distinctiveness of different states.